

106TH CONGRESS  
1ST SESSION

# H. R. 1843

To amend title XXI of the Social Security Act to permit States to use funds under the State Children's Health Insurance Program for coverage of uninsured pregnant women, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 18, 1999

Mr. HYDE (for himself and Mrs. LOWEY) introduced the following bill; which was referred to the Committee on Commerce

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## A BILL

To amend title XXI of the Social Security Act to permit States to use funds under the State Children's Health Insurance Program for coverage of uninsured pregnant women, and for other purposes.

- 1       *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*
- 2       **SECTION 1. SHORT TITLE.**
- 3       This Act may be cited as the "Mothers and Newborns
- 4       **Health Insurance Act of 1999".**

1 SEC. 2. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-  
2 SURED PREGNANT WOMEN UNDER A STATE  
3 CHILD HEALTH PLAN.

4 (a) IN GENERAL.—Title **XXI** of the Social Security  
5 Act is amended by adding at the end the following new  
6 section:

7 **“SEC. 2111. OPTIONAL COVERAGE OF LOW-INCOME, UNIN-**  
8 **SURED PREGNANT WOMEN.**

9 “(a) OPTIONAL COVERAGE.—Notwithstanding any  
10 other provision of this title, a State child health plan may  
11 provide for coverage of pregnancy-related assistance for  
12 targeted low-income pregnant women in accordance with  
13 this section.

14 “(b) DEFINITIONS.—For purposes of this section:

15 “(1) PREGNANCY-RELATED ASSISTANCE.—The  
16 term ‘pregnancy-related assistance’ has the meaning  
17 given the term child health assistance in section  
18 2110(a) as if any reference to targeted low-income  
19 children were a reference to targeted low-income  
20 pregnant women, except that the assistance shall be  
21 limited to services related to pregnancy (which in-  
22 clude prenatal, delivery, and postpartum services)  
23 and to other conditions that may complicate preg-  
24 nancy and shall not include prepregnancy services  
25 and supplies.

1                 “(2) TARGETED LOW-INCOME PREGNANT  
2 WOMAN.—The term ‘targeted low-income pregnant  
3 woman’ has the meaning given the term targeted  
4 low-income child in section 2110(b) as if any ref-  
5 erence to a child were deemed a reference to a  
6 woman during pregnancy and through the end of the  
7 month in which the 60-day period (beginning on the  
8 last day of her pregnancy) ends.

9                 “(c) REFERENCES TO TERMS AND SPECIAL  
10 RULES.—In the case of, and with respect to, a State pro-  
11 viding for coverage of pregnancy-related assistance to tar-  
12 geted low-income pregnant women under subsection (a),  
13 the following special rules apply:

14                 “(1) Any reference in this title (other than sub-  
15 section (b)) to a targeted low income child is deemed  
16 to include a reference to a targeted low-income preg-  
17 nant woman.

18                 “(2) Any such reference to child health assist-  
19 ance with respect to such women is deemed a ref-  
20 erence to pregnancy-related assistance.

21                 “(3) Any such reference to a child is deemed a  
22 reference to a woman during pregnancy and the pe-  
23 riod described in subsection (b)(2).

1                 “(4) The medicaid applicable income level is  
2                 deemed a reference to the income level established  
3                 under section 1902(l)(2)(A).

4                 “(5) Subsection (a) of section 2103 (relating to  
5                 required scope of health insurance coverage) shall  
6                 not apply insofar as a State limits coverage to serv-  
7                 ices described in subsection (b)(1) and the reference  
8                 to such section in section 2105(a)(1) is deemed not  
9                 to require, in such case, compliance with the require-  
10                 ments of section 2103(a).

11                 “(6) There shall be no exclusion of benefits for  
12                 services described in subsection (b)(1) based on any  
13                 pre-existing condition and no waiting period (includ-  
14                 ing a waiting period to carry out section  
15                 2102(b)(3)(C)) shall apply.

16                 “(d) NO IMPACT ON ALLOTMENTS.—Nothing in this  
17                 section shall be construed as affecting the amount of any  
18                 initial allotment provided to a State under section  
19                 2104(b).

20                 “(e) APPLICATION OF FUNDING RESTRICTIONS.—  
21                 The coverage under this section (and the funding of such  
22                 coverage) is subject to the restrictions of section  
23                 2105(c).”.

1           (b)        CONFORMING        AMENDMENT.—Section  
2 2102(b)(1)(B) of such Act (42 U.S.C. 1397bb(b)(1)(B))  
3 is amended—

4                   (1) by striking “and” at the end of clause (i);  
5                   (2) by striking the period at the end of clause  
6 (ii) and inserting “; and”; and  
7                   (3) by adding at the end the following new  
8 clause:

9                   “(iii) may not apply a waiting period  
10                   (including a waiting period to carry out  
11                   paragraph (3)(C)) in the case of a targeted  
12                   low-income child who is pregnant.”.

13           (c) EFFECTIVE DATE.—The amendments made by  
14 this section take effect on the date of the enactment of  
15 this Act and apply to allotments for all fiscal years.

16 **SEC. 3. OPTIONAL AUTOMATIC ENROLLMENT FOR CHIL-**  
17 **DREN BORN TO WOMEN RECEIVING PREG-**  
18 **NANCY-RELATED ASSISTANCE.**

19           (a) IN GENERAL.—Section 2111 of the Social Secu-  
20 rity Act, as added by section 2(a), is further amended by  
21 adding at the end the following new section:

22                   “(f) OPTIONAL AUTOMATIC ENROLLMENT FOR CHIL-  
23 DREN BORN TO WOMEN RECEIVING PREGNANCY-RE-  
24 LATED ASSISTANCE.—Notwithstanding any other provi-  
25 sion of this title, if a child is born to a targeted low-income



1 pregnant woman who was receiving pregnancy-related as-  
2 sistance under this section on the date of the child's birth,  
3 at the State's option under the child health plan the child  
4 may be deemed—

5           “(1) to have applied for child health assistance  
6           under the State child health plan on the date of such  
7           birth;

8           “(2) to have been found eligible for such assist-  
9           ance on such date; and

10           “(3) to remain eligible for such assistance until  
11           the child attains 1 year of age, so long as the child  
12           is a member of the woman's household and the  
13           woman remains (or would remain if pregnant) eligi-  
14           ble for such assistance.”.

15           (b) EFFECTIVE DATE.—The amendment made by  
16 subsection (a) takes effect on the date of the enactment  
17 of this Act and applies to allotments for all fiscal years.

